

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ISIDRO SANCHEZ-ARAIZA

Defendant.

1:16-CR-2013-LRS

Preliminary Order of Forfeiture

IT IS HEREBY ORDERED THAT:

As the result of the Defendant's guilty plea to the Information Superseding Indictment charging Possession with Intent to Distribute Heroin in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C) for which the United States sought forfeiture of assets pursuant to 21 U.S.C. § 853, Defendant, ISIDRO SANCHEZ-ARAIZA, shall forfeit to the United States any property constituting or derived from any proceeds obtained directly or indirectly as result of such offense and any property used or intended to be used to commit or facilitate the commission of such offense.

The Court has determined based upon the Defendant's guilty plea and his plea agreement that the following assets are subject to forfeiture pursuant to 21 U.S.C. § 853 and that the United States has established the requisite nexus between such assets described below, and such offense:

U.S. CURRENCY

Approximately \$1,126.00 in U.S. currency, seized by the Yakima Police Department/Federal Bureau of Investigation Task Force, from ISIDRO SANCHEZ-ARAIZA, on or about February 18, 2016.

FIREARMS

- a) PW Arms, 9 x 18mm pistol, serial number 0800;
- b) FIE Corp, .25 auto pistol, serial number A03108; and.
- c) KBI Inc., 7.62 x 39 SKS-45 rifle, serial number BA3933.

Upon the entry of this Order, the United States Attorney General (or a designee) is authorized to seize the above-listed assets subject to forfeiture, whether held by the Defendant or a third party, and to conduct any discovery proper in identifying, locating or disposing of property subject to forfeiture, in accordance with Fed. R. Crim. P. 32.2(b)(3).

Upon entry of this Order, the United States is authorized to commence any applicable proceeding to comply with statutes governing third party rights, including giving notice of this Order.

The United States shall publish notice of the order and its intent to dispose of the property in such a manner as the United States Attorney General may direct. Pursuant to 21 U.S.C. § 853(n), the United States will post notice of this order on the official government internet site (www.forfeiture.gov) for at least 30 consecutive days.

The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is the subject of this Preliminary Order of Forfeiture, as a substitute for posted internet notice as to those persons so notified. Any person, other than the above-named Defendant, asserting a legal interest in the above-listed property may, within thirty (30) days of the last date of internet posting of notice, or by the date indicated on direct notice, if sent, whichever is earlier, petition the court for a hearing without a jury to adjudicate the validity of his/her alleged interest in the above-listed forfeited assets and for an amendment of the order of forfeiture, pursuant to 21 U.S.C. § 853(n)

1 Pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B), this Preliminary Order of
2 Forfeiture is final as to the Defendant at the time of sentencing, and is made part of the
3 sentence and included in the judgment.

4 After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c)(1)(A)
5 and before a hearing on the petition, discovery may be conducted in accordance with
6 the Federal Rules of Civil Procedure upon a showing that such discovery is necessary
7 or desirable to resolve factual issues.

8 The United States shall have clear title to the above-listed property following
9 the Court's disposition of all third-party interests, or, if none, following the expiration
10 of the period provided in Fed. R. Crim. P. 32.2(c)(2), Rule G(5) and 21 U.S.C. §
11 853(n), for the filing of third party petitions.

12 The Court shall retain jurisdiction to enforce this Order, and to amend it as
13 necessary, pursuant to Fed. R. Crim. P. 32.2(e).

14 ORDERED this 7th day of July, 2016.

15 s/Lonny R. Suko

16 Lonny R. Suko
17 Senior United States District Judge

18 Presented by:

19 Michael C. Ormsby
20 United States Attorney

21 *s/Thomas J. Hanlon*

22 Thomas J. Hanlon
23 Assistant United States Attorney
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